

CLOTHING—M. GUTMAN &amp; CO.

## Thirty-five Years

Of mercantile experience puts us in touch with every market in the United States; with the makers, importers and jobbers everywhere. Wherever goods are sold our name is known and our business solicited. With facilities unequalled, we buy accordingly, but MORE GOODS and BETTER GOODS than any house in West Virginia, and we sell them cheaper.

**WE CANNOT BE UNDERSOLD.**

### Men's Sack and Cutaway Suits,

For Dress and Business wear.

### Men's Overcoats,

Light Weight, Medium and Heavyweight.

### Boys' Clothing,

The most durable to be obtained.

### Vestee Suits,

The newest ideas in Fancy wear.

## M. GUTMAN & CO.,

MAIN AND TWELFTH STREETS.

See our \$1.00 Underwear in east window.

FURNITURE.

## Furniture Bargains.

A Large Bed Lounge, covered in carpet or moquette, only

**\$8.48.**

### Fine Couches

\$6.44

### Parlor Tables

.98

(Oak or Mahogany Finish, 24x24.)

CALL AND SEE OUR

**49c STAND.**

Just the thing for your Lamp.

### Cobbler Seat Rockers

\$2.19

### Plush Seat Rockers

3.35

Our Stock is Complete in all departments. Goods sold on reasonable terms.

## UNDERTAKING.

HERMAN FRANK,  
FRANK E. FOSTER,  
Receivers.

## WHITE, HANDLEY & FOSTER,

2245, 2247, 2249 MARKET STREET.

TAILOR-MADE SUITS, ETC.—GEO. R. TAYLOR CO.

## GEO. R. TAYLOR CO.

THIS WEEK OUR NEW

### Tailor-Made Suits, Jackets and Capes

Now arriving, are newest in style, fine materials and perfect in fit. Don't put off buying if you want anything in this line. You can get a fine garment for a low price. When alterations are needed they are made without charge.

### BLACK SATIN WAISTS.

We opened a new lot on Saturday. They are the favorites. Novelties in Dress Goods and Silks will be opened Monday.

### DR. JAEGER'S UNDERWEAR.

Being the agents for this Underwear we can supply you with anything in the catalogue at prices quoted in the same.

## Geo. R. Taylor Co.

# Apollinaris

("THE QUEEN OF TABLE WATERS")

BEWARE OF SUBSTITUTIONS.

## SEPARATE PLEAS

Insisted Upon by the State in the Abatement Cases.

COULD HAVE BEEN FURNISHED

BY MR. HOWARD YESTERDAY AFTERNOON, BUT JUDGE HUGUS ADJOURNED THE MATTER OVER TO SATURDAY MORNING—PROSECUTOR MEYER EXPLAINS WHY HE INSISTED ON SEPARATE PLEAS—MR. HOWARD'S ARGUMENT YESTERDAY MORNING.

Yesterday morning at 10 o'clock the criminal court, Judge Hugus on the bench, convened, and the well-known abatement cases, in which Messrs. John A. Howard and S. G. Smith represent sixty-six indicted saloonists, who set up the claim of the invalidity of the recent grand jury and the consequent setting aside of their acts, were called.

After Mr. Howard had made an exhaustive argument, in which he supported the several pleas by citing legal authorities, Judge Hugus called upon the state for its argument, which, however, was not forthcoming at this time. Prosecutor Meyer said that he would insist on the filing of separate pleas in each of the sixty-six cases. This would take some time, said Mr. Howard, but he could assure the court the demand would be complied with before 4 o'clock yesterday afternoon. The judge, however, postponed further consideration of the abatement cases until Saturday morning at 9:30 o'clock.

Mr. Howard stated to the newspaper men that this move of the state would result in the piling up of more fees. When an Intelligencer reporter asked Mr. Meyer as to this phase of the case he replied that he insisted upon separate pleas for the protection of his side of the case. The argument of Mr. Howard yesterday was on the case of the state vs. John Arthur. If that case were decided against Messrs. Howard and Smith on the pleas entered they could then enter different pleas in the other cases, of which there are sixty-six, thus making an almost endless proceeding in court. On the other hand, when Messrs. Howard and Smith present the same pleas in the other cases the decision in the Arthur case will be the decision of the others.

In his argument Mr. Howard called attention to a Virginia decision in which any departure from the statute regulations invalidates. Next, he said, is the plea that over 200 names were drawn for the recent grand jury, while the lawful number is between 100 and 150. An Irish case, in which the great O'Connell was concerned, was cited to assist his stand in the present cases. When the legislature provides specifically for the drawing of the grand jury a departure from the provision makes the grand jury illegal.

There were also violations of provisions for the custody of the list and box used in drawing the grand jury. It is alleged the box was in the custody of the circuit clerk and he opened it alone in the vault and arranged the ballots in such manner that he could make a selection of his own choice if he should draw the names. The statute provides that the drawing shall be purely a lottery. In this case the circuit clerk drew the names of his own choice. Following this phase, Mr. Howard quoted a case in Pennsylvania where only a slight irregularity quashed a grand jury. If such a slight violation invalidates, what ought this court and the supreme court of West Virginia to do when it is shown the circuit clerk opened the box and handled its contents? This plea alone, he claimed, is sufficient to quash the indictments. In Indiana there is a statute for curing slight irregularities, but even in the face of such a statute when there was an important irregularity, the courts held that the prisoner is entitled to a grand jury without stain.

Mr. Howard cited a Baltimore case greatly resembling the one here, and submitted that the decision ought to have weight.

"What have we here?" asked Mr. Howard. The first step required is to select a list, and the persons to select it are designated by the statute. They never did it. It seems a waste of time to go further. This cannot be treated as a slight irregularity.

The next step—not to have more than 150 names. There were 248.

Next, the county court is to see as to the placing of the names in the custody of the circuit clerk.

Then the circuit clerk is to keep the box in his custody without being opened except according to law. This was violated.

The county clerk is required to be summoned, but the circuit clerk did the drawing, contrary to law.

Then sixteen men were summoned irregularly.

In every step there was violation of statute provisions. Can it be possible all these are mere irregularities?

There is a recent consideration of these questions before the supreme court in the case of the state vs. Eason. Two of the judges were in line with the decision he had cited, Judges Dent and English. They take square ground against any application of the defacto doctrine.

In conclusion Mr. Howard said the one fatal defect in the whole proceeding is the fact that there was no grand jury list prepared by the county clerk according to law, and therefore there could be no legally constituted grand jury. In addition there had been violations of the statute all along the line. The plea in abatement, he said, ought to be sustained.

Mr. Howard offered the same pleas in the cases of the other saloonists as those already presented in the case of the state vs. John Arthur.

Mr. Meyer, for the state, demanded that separate pleas in writing be submitted, so Judge Hugus adjourned the matter over to Saturday.

Buckley's Arctic Salve.

The best salve in the world for cuts, bruises, sore throats, salt rheum, fever sores, letter, chapped hands, chilblains, corns and all skin eruptions, and positively cures piles, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price 25 cents per box. For sale by Logan Drug Co.

NATIONAL CONVENTION, CHRISTIAN CHURCHES

At Indianapolis—Low Rates Over the B. & O.

October 12, 14 and 17 the Baltimore & Ohio will sell excursion tickets to Indianapolis and return at rates of \$8.50, good returning until October 23, inclusive.

## ALMOST DEFEATED.

Narrow Margin for the Union of the Two Patriotic Societies.

The two patriotic societies, the Sons of the Revolution and the Sons of the American Revolution, held their conventions at the Grand Hotel in Cincinnati, last Tuesday, and nearly all of the state societies were represented by delegates, those from West Virginia being Sam Hugh Brockunier and Randolph Stalnaker, of Wheeling.

The convention of the Sons of the American Revolution was presided over by Hon. Edward F. Barrett, of Boston, president general of the national society and great grandson of Captain James Parker, who commanded the militia at Lexington. They unanimously adopted the report of the committee on union of the two societies and sent word to the Sons of the Revolution that they would unite upon any terms.

The convention of the Sons of the Revolution was presided over by ex-Governor John Lee Carroll, of Baltimore, general president of the national society, and great grandson of Charles Carroll, of Carrollton, a signer of the declaration of independence. Decided opposition to the proposed union developed itself in this society. The delegate from Indiana plainly stated that his opposition was because of the number of members of the Sons of the American Revolution in Indiana, whose claim to membership was based entirely upon collateral descent. Others were not quite so outspoken, but all of those opposed to union wanted the rolls of both societies examined by a committee authorized to strike out the name of every member whose proof of lineal descent was not perfect. Upon this question a deadlock resulted and the friends of the union were not able to break it until such an amendment was offered.

The final question of union was adopted by the Sons of the Revolution by the narrow margin of one vote. The matter now goes to the state societies and if their vote is favorable the two societies will unite as the Society of the American Revolution, admitting such members of the old societies whose papers are pronounced perfect by the committee on examination.

A superb banquet was given at the Grand in honor of the visiting delegates by the Ohio Society Sons of the Revolution and the Cincinnati Chapter Sons of the American Revolution. Mr. Achilles Pugh presided as toastmaster, introducing as the first speaker ex-Governor John Lee Carroll, who received an ovation. Governor Carroll was followed by Hon. E. F. Barrett, Governor Asa Bushnell, General Joseph C. Breckinridge, Judge W. D. Harden, of Georgia; Dr. S. M. Galland, of Washington, and Rev. Dr. Dudley W. Rhodes, of St. Paul. All members of one or the other society. The proceedings were watched from the corridors by Mrs. Gov. Bushnell and other prominent "Daughters."

## Mrs. Elizabeth Hughes Dead.

At Los Angeles, Cal., October 3, at 7:45 p. m., there occurred the death of Mrs. Elizabeth Hughes, a lady well known in Wheeling. Her husband, Mr. W. E. Hughes, was a member of the firm of Vance, Hughes & Co., shoe dealers, until about ten years ago, when he and Mrs. Hughes removed to California. The news of her death was received with regret by their many friends here.

## Death of Mrs. Jones.

Late last night occurred the death of Amelia, wife of Bently Jones, after a lingering illness of eight months. Death came painlessly and relieved her suffering frame. The funeral will take place in Trenton, N. J.

## Funeral of Captain Cline.

The funeral of the late Captain J. Fred Cline, whose death was mentioned in the Intelligencer yesterday morning, will take place this afternoon at 2 o'clock from his home on the Island. Wheeling lodge No. 114, Knights of Pythias, and James T. McGee Company No. 29, uniform rank, will participate in the exercises.

## Funeral of C. B. Carr.

The funeral of the late C. B. Carr will take place from his late residence, 727 Market street, Saturday afternoon at 2 o'clock, with interment at Greenwood. Friends of the family are invited to attend. Welcome lodge, A. O. U. W. will attend in a body.

## Solar Plexus Writs.

PROVIDENCE, R. I., Oct. 14.—Three writs have been served on John L. Sullivan, who is playing at a local theatre. One was for \$5,000 damages for assault upon Frank V. Dunn, of Boston, his manager, and the second was for \$2,000 for alleged debt to Mr. Dunn. The third was for \$3,000 for alleged trover and conversion. Bail was furnished.

\$2.25 Round Trip Bellaire to Cleveland To-Morrow.

Via Pennsylvania lines, good going on regular trains and good returning Monday, October 18th, inclusive.

## DIED.

CLINE—On Tuesday, October 12, 1897, at 9:45 o'clock p. m., J. FRED CLINE, in his 35th year.

Funeral services at his late residence, No. 129 South Front street, Friday afternoon at 2 o'clock. Friends of the family respectfully invited to attend. Interment at Greenwood cemetery.

CARR—On Thursday afternoon, October 14, 1897, C. B. CARR, aged 54 years.

Funeral from his late residence, No. 727 Market street, on Saturday afternoon at 2 o'clock. Friends of the family are invited. Interment at Greenwood cemetery.

HUGHES—In Los Angeles, California, on Sunday, October 3, 1897, at 7:45 p. m., MARY ELIZABETH, wife of W. E. Hughes, formerly of this city, in the 64th year of her age.

Interred in Rosedale cemetery, Los Angeles.

JONES—At 59 Fifteenth street, on Thursday, October 14, 1897, at 11:30 p. m., AMELIA, wife of Bently Jones.

Funeral service at Trenton, N. J.

## UNDERTAKING.

LOUIS BERTSCHY,

Funeral Director and

Arterial Embalmer.

1117 Main Street, West Side.

Calls by Telephone Answered Day or Night. Store Telephone 654. Residence, 664. Assistant's Telephone, 655.

ALEXANDER FREW,

Funeral Director and Embalmer,

1203 MAIN ST.

Under Competent Management. Telephone—Store, 225; Residence, 755.

BRUEMMER & HILDEBRAND, FUNERAL DIRECTORS AND EMBALMERS

Corner Market and 21st Streets

Telephone 277. Open Day and Night.

CLOTHING—KRAUS BROS.

# Good Judgment.

TELLS YOU BUY NICE CLOTHES; GOOD CLOTHES; BECOMING CLOTHES; CLOTHES THAT WILL LOOK WELL ON YOU; CLOTHES THAT WILL WEAR WELL; CLOTHES THAT WILL BE AN OUTWARD INDEX OF YOUR GOOD TASTE, OF YOUR GOOD JUDGMENT.

## APPEARANCES.

GO A GREAT WAY; CLOTHES MAKE THE MAN; FIRST IMPRESSIONS ARE THE BEST; MOST LASTING CLOTHES DO IT; THE RIGHT KIND—OUR CLOTHES—WILL NONE BETTER MADE. PRICES FOR SUITS AND OVERCOATS FROM \$8.00 TO \$20.00, WITH PLENTY OF STOPPING PLACES BETWEEN.

## KRAUS BROS.,

WHEELING'S FOREMOST CLOTHIERS,

STRICTLY ONE PRICE.

1319 MARKET STREET.

CLOTHING—D. GUNDLING & CO.

## To Cover Your Nakedness

Is one thing; to be properly dressed is quite another.

How can you be satisfied to wear ordinary ready-made clothes or cheap merchant tailored ones, when you buy bearing this label



made of the very best materials, by expert custom tailors, after the most fashionable models, at about the same price as the former and a great deal less than the latter? Our profit on Stein-Bloch Clothes is not as large as on other makes. They are better and consequently cost more. But we make more in the end, because we sell so much of it; they need no further advertising to a customer who has once worn them.

Test the truth of our assertions. You risk nothing. Your money, back if you want it, proves it.

## D. Gundling & Co.

STAR CLOTHIERS,

34 AND 36 TWELFTH STREET.

COUCHES—ALEXANDER FREW.

## SPECIAL SALE

—OF—

## COUCHES!

We have just received a large and new stock of entirely up-to-date styles of Couches, in best Leather, Velour, Corduroy, etc., and the prices at which they are bought enables us to sell them at 25 per cent. less than former prices and guarantee value for the money. Our special \$15.00 Couch has no equal for the price.

Don't fail to visit our store and see the latest goods on the market at prices that will surprise you.

## Alexander Frew,

Furniture, Oil Cloths, Linoleums, Window Shades, Etc.,

NO. 1208 MAIN STREET.



**RESTORED MANHOOD** DR. MOTT'S NERVE-REPAIRING PILLS  
The great remedy for nervous prostration and all nervous diseases of the generative organs of either sex, such as Nervous Prostration, Falling of Testes, Impotence, Nightly Emissions, Youthful Errors, Mental Weakness, excessive use of Tobacco or Opium, which lead to Consumption and Insanity. With every 24 order we give a written guarantee to cure or refund the money. Sold at \$1.00 per box, 2 boxes for \$2.00. DR. MOTT'S CHEMICAL CO., Cleveland, Ohio. myll-daw

For sale by Will S. Dickson's McLaughlin House Pharmacy.

RESTAURANT AND CAFE.

THE WIGWAM RESTAURANT AND CAFE,

1408 MARKET STREET.

Warm meals served in their best style. Dining rooms cosy and snug. All short-order cooking, and prices reasonable. Only restaurant that provides a first-class ladies' and gentlemen's dining parlor. Entrance on Fourteenth street.

Mercantile Hot Lunch daily. Roast Beef and Potatoes, Coffee, Bread and Butter, 20 cents. Bill charged daily.

July 8. BRUBAKER, Proprietor.

## DENTISTRY.

E. E. WORTHEN,

## DENTIST.

Peabody Building, Room No. 301.

1126 Market Street, . . . Wheeling, W. Va.

TAKE ELEVATOR

1712

THE INTELLIGENCER PRINTING

Establishment—Neat, accurate, prompt.